

Bollinger And Elmer Are Tentatively Retained By County In Boulder Case

County Will Attempt To Secure Just Settlement on Lieu Tax Basis of Fifty Annual Payments of \$300,000

Tentative agreements have been made which are expected to close within the next few days whereby attorneys Charles P. Elmer and E. Elmo Bollinger will be retained by the county board of supervisors to take the necessary legal actions required to obtain a settlement of the moot question of what portion of the annual payment of

\$300,000 made by the federal government to the state of Arizona, in lieu of taxes which might have resulted from the construction of Boulder dam had it been built by private capital, is to be paid to the county of Mohave where the improvements have been made.

This question has been a controversial one over the past two or more years. In the instance of Clark county, Nev., which enjoys a like situation, the state legislature of that state awarded to Clark county 20 percent of the annual payments. The attorneys now employed by the Mohave county board of supervisors will make a complete study of the legal status and take the necessary procedure to secure a proper settlement of the matter of division of the annual payments which continue for a period of fifty years beginning with the year 1937.

As a total of \$15,000,000 will be received by the state under the Boulder Dam Project Act during the period of fifty years, the result of the division is of vital importance to the treasury of Mohave county. On the theory that the Boulder Dam Project Act contemplated the payment of this \$15,000,000 in lieu of taxes, and as the property and improvements under the act are situated in Mohave county, the claim is made by Mohave county people that it is entitled to a considerable percentage of these payments, much more than they would receive as their proportion if the sum was simply credited to the general funds of the state.

Under the usual division of tax monies between the state and county at least one-half of the payments would be credited to Mohave county. The state legislature of Nevada agreed that Clark county was entitled to 20 percent which was accepted by the authorities of Clark county. In Arizona the discussions have evolved no such settlement and Mohave county believes that a much greater percentage of the payments should be given to the treasury of Mohave county if the details of the Boulder Dam Project Act were accurately carried out. If the legal

status of the situation can be made to correspond with the moral status Mohave county should receive a considerable portion of the annual payments. The intention of the act was undoubtedly to have the payments made in lieu of taxes which would have accumulated if the project had been constructed with other than federal monies and on this interpretation of the act Mohave county would receive out of each payment its portion according to the ratio of the state and county tax rates each year.

Considerable investigation has been made by several attorneys throughout the state but in the final conclusion it was determined that local attorneys who would have a personal interest at citizens of the county were as ably qualified to lead the situation thru the court procedures as those attorneys from other cities.